

### Specialist Needs Housing Supplementary Planning Document (SPD): Consultation Responses

Reference	Name / Organisation	Draft SPD Section	Summary of comments	Officer Response	Change to SPD
SN001	Mrs Montgomery	General	No new housing of any sort until a new doctors surgery and junior school provided. Both surgeries in Maldon have closed their lists and the nearest surgery is in Danbury – if anybody is ill it will take a journey to see a doctor.	<p>This comment is noted, and applies to the general principle of new development, so is outside of the scope of this SPD.</p> <p>However, The level of housing required is identified by the Local Development Plan (LDP) and needs to be delivered to ensure the Council meets its objectively assessed housing need and has a 5 year supply of housing sites. This is a requirement of national policy. The infrastructure required to support this growth is set out in the LDP and the supporting Infrastructure Delivery Plan. For all developments of 11 or more units developer contributions can be sought to help mitigate adverse impacts upon infrastructure such as schools and/or health facilities. The LDP is supported by the Infrastructure Delivery Plan.</p>	No change to SPD required.
SN002	Equality and Human Rights Commission (EHRC) Corporate Correspondence Team	General	The Commission does not have the resources to respond to all consultations, and it is not our practice to respond unless they raise a clear or significant equality or human rights concern. Local Councils have obligations under the Public Sector Equality Duty (PSED) in the Equality Act 2010 to consider the effect of their policies and decisions on people sharing particular	Comments noted.	No change to SPD required.

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			<p>protected characteristics. Provide advice on how to apply the PSED, which is the mechanism through which public authorities involved in the planning process should consider the potential for planning proposals to have an impact on equality for different groups of people. Refers to technical guidance at <a href="https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england">https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england</a></p>		
SN003	Tendring District Council	General	Welcome the introduction of a Special Needs Housing SPD and note the undersupply in this type of housing in Maldon District.	Comments noted.	No change required.
SN004	Historic England	General	<p>Unable to comment at this time. Recommend that the advice of your local authority conservation and archaeological staff is sought as they are best placed to advise on local historic environment issues and priorities, including access to data, indicate how historic assets may be impacted upon by the SPDs, and opportunities for securing wider benefits for the future conservation and management of the historic environment.</p>	Comments noted. The Council's Conservation Officer was consulted on a draft version of the SPD.	No change to SPD required.
SN005	Natural England	General	Welcome opportunity to give views, the topic of the SPD does not appear to relate to our interests to any significant extent. Therefore do not wish to comment.	Comments noted.	No change to SPD required.

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SN011	Pioneer PS Ltd	General	<p>The SPD seeks to extend the provisions of local plan policy H2 and H3 rather than provide guidance on its application. This issue has been variously explored in the High Court and relevant judgements can be seen by reviewing (Skipton Properties Ltd, R (On the Application Of) v Craven District Council [2017] EWHC 534 (Admin)) and William Davis Ltd et al v Charnwood Borough Council Neutral Citation Number: [2017] EWHC 3006 (Admin), 23 November 2017). The use of SPD to create new policy rather than give guidance on existing is contrary to law and places the SPD at risk of challenge on that basis.</p>	<p>Legal advice has been taken: It is considered that the SPD seeks to explain relevant LDP policies and/or national policy so is not creating new policy or extending adopted policy.</p>	<p>No change to SPD required.</p>
SN009	CODE Development Planners Limited	Paragraph 1.1	<p>Support the intention of the SPD to assist in meeting the requirements of adopted planning policies H3, H2 and H1. Draw attention to the need to consider <b>both</b> affordable housing requirements <b>and</b> market housing requirements. If the SPD is to assist in meeting all requirements it needs to emphasise and recognise that the provision of specialist market housing often delivered by specialist private developers should be encouraged in partnership with relevant agencies. The draft SPD would prove more influential in attracting appropriate specialist developers if it provided greater reference to the positive role of private developers in contributing to meeting the identified district need. Government and health care focus is rightly targeted on the provision of</p>	<p>The SPD applies to both market and affordable specialist housing – paragraph 1.4 emphasises this point. Paragraph 1.15 acknowledges that the specialist needs housing market is evolving and that other products will be considered at the time of the application as long as they meet identified local needs. Table 1 will be expanded to include retirement villages, a predominantly market housing option. It is acknowledged that reference to market housing is not as clear throughout the SPD as it could be. The emphasis of the SPD will be re-considered to provide greater reference to market housing. The Strategic Housing Market Assessment (SHMA) is</p>	<p>To clarify that the SPD applies to market as well as affordable specialist needs housing amend first sentence of paragraph 1.1 to: <i>The Maldon District Local Development Plan (LDP) (2017)<sup>1</sup> seeks to deliver market and affordable housing that meets the needs and aspirations of existing and future residents, of different demographic groups and needs, over the plan period (2014-2029).</i></p> <p>To clarify that the SPD applies to market as well as affordable specialist needs housing add</p>

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			<p>market products which allow elderly people to remain independent for longer, thereby limiting any unnecessary strain on public agencies and funding (PPG 2014, 022). The SHMAA identifies both a full open market and affordable housing requirement in this specialist area. The SPD should also note the need for continued flexibility to be judged at the time of applications for planning permission in identifying the scale and nature of the requirements taking full account of forever changing market signals. The current SHMAA was published in 2014 and is already likely to be out of date and 'conservative' in its assessment of need.</p>	<p>the starting point for negotiations relating to an assessment of need – paragraph 5.12-5.15 requires a market assessment to be submitted with any specialist housing application – this should provide the evidence for any mix and type of product identified, particularly if it differs to the SHMA.</p>	<p>new row to Table 1 to include reference to age restricted/age exclusive independent housing (which can include retirement villages).</p> <p>Amend paragraphs 3.3, 3.4, 3.5, 3.6, 3.8, 3.12 to include greater appropriate reference to the provision of specialist needs market housing.</p>
SN010	Essex County Council	Paragraph 1.5	<p>Securing the level of specialist needs housing identified by the SHMA and MDCs 'Older Persons Housing Strategy' is essential to ensure that local people in the district are able to afford to remain living independently should they wish to do so, and is supported.</p>	<p>Support welcome and noted.</p>	<p>No change to SPD required.</p>
SN008	Strutt and Parker on behalf of M Scott Properties Ltd	Paragraph 1.14 (Table 1)	<p>The description of 'Independent living' in Table 1 excludes the provision of this housing as market housing. To provide a deliverable solution that encourages a wide range of older people and those either with, or supporting someone with a disability to 'right-size' there should be a mix of market and affordable housing included within these schemes. Alongside this point, through the provision of market housing, it will allow commercial returns that will meet Landowner aspirations and encourage</p>	<p>Independent living can be provided as market housing. Therefore Table 1 will be amended accordingly.</p> <p>Telecare is covered by paragraphs 5.43-5.44 - the point made that telecare can allow people to receive care without becoming a burden on health services will be added to paragraph 5.43.</p> <p>To clarify the level of affordable housing to be sought reference to LDP Policy H1</p>	<p>Amend Table 1, Independent Living, Definition: to refer to market housing as a potential product.</p> <p>Add new paragraph 5.43 to refer to potential benefits to health services of installing telecare: <i>As with all homes, a connected home – of technological advances and connectivity to the internet - is</i></p>

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			<p>developers to deliver this type of housing at a meaningful quantum. It is recommended that the definition for Independent Living also includes the provision of telecare, as this allows people to receive the care they might require without placing additional burden on the local health care service. This is consistent with Planning Practice Guidance: <i>"The size, location and quality of dwellings needed in the future for older people should be considered in order to allow older people to live independently for as long as possible, or move to more suitable accommodation if they so wish. Supporting independent living can help to reduce costs to health and social services, and providing more options for older people to move could also free up houses that are under occupied."</i> (emphasis added). Recommend altering the wording in Table 1 Retirement Housing, so that it is consistent with Policy H1. Recommend the following amendment to the text: Enhanced: mixed tenure <u>as specified within Policy H1</u>.</p>	<p>will be added as suggested to Table 1 Retirement Housing, Definition.</p>	<p><i>of increasing importance to residents. For specialist needs housing a connected home can provide many benefits relating to automation and building management control, improved energy efficiency, managing care needs (telecare), achieve health improvements (telehealth) and home comforts that meet a range of lifestyle choices.</i></p> <p>Amend Table 1, Retirement housing, Definition, so that it is consistent with Policy H1: <i>Enhanced: mixed tenure as specified within Policy H1</i>.</p>
SN009	CODE Development Planners Limited	Paragraph 1.14	<p>It is important to note and agree that while Table 1 identifies 'accommodation type' and a 'continuum of care' which currently exists in the market, the type of specialist housing continues to evolve and may not always 'fit' neatly into the descriptions contained in an SPD adopted at a particular point in time. In these circumstances, decision takers must accept an 'open mind' on future types of</p>	<p>Agree. Paragraph 1.15 acknowledges that the specialist needs housing market is evolving and that other products will be considered at the time of the application as long as they meet identified local needs.</p>	No change to SPD required.

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			specialist accommodation and care packages which will evolve and be equally legitimate and relevant in meeting the requirements of elderly people.		
SN009	CODE Development Planners Limited	Paragraph 2.14	Note the council's interpretation of relevant appeal decisions and legal opinion in the definition of the Use Classes Order. Note the reference to the HAPPI spectrum which projects a more widely researched view that specialised housing is currently classified as C2 or C3. This remains dependent upon the nature and scale of communal facilities and care packages provided within the planning unit. The current status of legal interpretation requires each scheme to be judged as a matter of fact and degree in the particular circumstances of the scheme.	The SPD acknowledges that specialist housing can be C2 or C3 depending on the type of product promoted. Paragraphs 2.12 - 2.13 identify those circumstances when the Council will identify a product to fall within C2 or C3. Should an applicant consider that a scheme is within a different use class to the Council, this would be a matter for discussion at the time of the application.	No change to the SPD required.
SN009	CODE Development Planners Limited	Paragraph 2.17	Support the principles behind Policy H3 section 5.20 that ' <i>there is a growing demand for homes with support available on site and homes that are specially designed to meet people's changing needs</i> ' and that such facilities are ' <i>in close proximity to everyday services, preferably connected by safe and suitable walking/cycling routes</i> '. In supporting policy H3 it is important for the council to 'lead' and encourage the relevant statutory agencies to respond to opportunities in a timely and 'open minded' manner appropriate to the determination of applications for planning permission.	The Council consults relevant statutory agencies in accordance with the Town and Country Planning General Development and Procedure Order 2015. It is important for the Council to assess each application on its merits in a fair and transparent manner. The Council does encourage statutory agencies to respond in a timely manner. It cannot, however, lead them to make a particular response.	No change to the SPD required.

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SN010	Essex County Council (ECC)	Paragraph 2.22	<p>Makes reference to the Essex Design Guide, 2018 which incorporates guidance on older persons, and is welcomed. One of the themes is the ageing population, with the EDG giving consideration to designing new developments in response to the forecast increased number of older people and those impacted by age-related conditions for example, dementia. The EDG has been formulated so as not to require significant adaptions to design to incorporate these themes, but rather to identify how minor changes during the process can create the conditions to ensure they are effectively represented in development. It is noted that similar guidance is provided elsewhere within the SPD. ECC considers that the above should be highlighted in paragraph 2.22. ECC notes that this SPD will ensure that all new development reflects local character, and the SPD will be the primary guidance document used to inform planning applications in the District.</p>	<p>The Specialist Housing SPD refers to the Maldon District Design Guide SPD as the primary document for design of specialist housing in the District. The Essex Design Guide (EDG) is complementary to the SPD and a weblink is provided for further information. However, in paragraph 5.25 of the SPD reference will be made to the EDG to ensure its principles of future proofing and adaptability are reinforced.</p>	<p>Add sentence to paragraph 5.25 to highlight the link between the Maldon District Design SPD and the Essex Design Guide: <i>The Essex Design Guide also provides information relating to future proofing and adaptability of housing.</i></p>
SN009	CODE Development Planners Limited	Paragraph 2.27	<p>The draft SPD states that the indication of need in the SHMAA "demonstrates an acute need for specialist housing in the district and an urgent need for this SPD to be implemented to enable delivery either as bespoke schemes or through new development." Agree with this statement and commend the council for the SPD's preparation, the urgent need cannot be met and schemes delivered by adopting a</p>	<p>The intention of the SPD is to help facilitate the delivery of a range of homes that are required to meet local needs, and address issues that are commonly raised during the planning application process.</p> <p>The Council will continue to work with developers to ensure that appropriate schemes are delivered.</p>	<p>No change to SPD required.</p>

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			<p>guidance note. The need can only be met by working with private developers/providers to deliver actual schemes in appropriate locations and with viable funding in place. The SHMAA was published in 2014 and is likely to be out of date in the fast-changing identification of need. The SPD should make clear that individual schemes will be judged against a recognition that market need and demand is dynamic and should be assessed at the time of considering any applications for planning permission. This approach would accord with criteria 1) of policy H3 and would help to maintain and understand an up to date identification of both quantitative and qualitative need.</p>	<p>Paragraph 1.15 acknowledges that the specialist needs housing market is evolving and that other products will be considered at the time of the application as long as they meet identified local needs. Paragraph 4.2 identifies that where there is evidence of an identified unmet need in the local area and the location is appropriate in terms of access to facilities, services and public transport - that the Council will work with developers to ensure an appropriate mix is delivered that provides for, or includes an element of housing designed for older people or those with a disability or that can be adapted in the longer term.</p> <p>The SHMA is the starting point for negotiations relating to an assessment of need – paragraph 5.12-5.15 requires a market assessment to be submitted with any specialist housing application – this should provide the evidence for any mix and type of product identified, particularly if it differs to the SHMA.</p>	
SN008	Strutt and Parker on behalf of M Scott Properties Ltd	Paragraph 2.33 – 2.34	Concerned that the Council's pragmatic solution to meeting the need identified in the SHMA is too prescriptive and unnecessarily focused on meeting one type of housing need prior to another, when all could be pursued as opportunities arise, or	<p>Paragraph 2.33 provides context for the SPD by referring to the Maldon District Older Peoples Housing Strategy.</p> <p>Paragraph 2.34 clarifies that this does not mean that the SPD (or indeed the Strategy) will focus on prioritising one</p>	<p>To clarify that the priorities are taken from the Council's Older Peoples Housing Strategy add sentence to Paragraph 2.33: <i>The Strategy identifies the following need.</i></p>

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			<p>simultaneously. The inclusion of a priority list is helpful for the Council's own resourcing, which is presumably the purpose set out in paragraph 2.34, but it is potentially unhelpful and even restrictive to meeting the identified housing needs of the District, in accordance with national planning policies and the Local Plan. The SPD should encourage the delivery of this form of housing at all opportunities. It is recommended that a balanced view is given to prioritising types of specialist accommodation in the District. For example, if too much emphasis is given to the provision of extra-care units, existing residents that are capable of living independently, but may suffer from minor mobility issues, might choose accommodation that provides an unnecessarily high level of care because of a lack of more suitable accommodation being available; therefore, reducing the opportunity for residents that are in need of care to benefit from such accommodation. Recommend that the priorities are either removed or adjusted to confirm that all types of housing within the list will be considered favourably. Alternatively, recommend that retirement housing is moved up the priority list, as it provides the greatest flexibility and could help address the strategic objectives much earlier in the plan period.</p>	<p>type of housing over another. The Older Peoples Housing Strategy has been approved by the Council so it is not possible to change the priorities. However, paragraph 2.33 will clarify that the priorities are taken from the Strategy. Paragraph 1.15 recognises that the market for specialist needs housing is evolving and that new products will be considered as long as they meet identified local needs for residents of the District.</p>	

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SN006	NHS England (East)	Paragraph 2.9	'Supporting independent living can help to reduce the costs to health....'. Please note that this has an impact on local healthcare services and mitigation will be sought.	Paragraph 5.22 acknowledges the importance of having the support from relevant statutory agencies such as the Mid Essex Clinical Commissioning Group (CCG) for all specialist housing schemes. This will ensure that only appropriate schemes are delivered where the level of care and services likely to be sought can be managed. However, text will be added to clarify that where necessary developer contributions could be sought.	Add following sentence to Paragraph 5.22: <i>Developer contributions to mitigate adverse impacts upon health care may be sought from all schemes of more than 10 dwellings or more (see LDP Policy I1).</i>
SN008	Strutt and Parker on behalf of M Scott Properties Ltd	Paragraph 3.1	Sets out the level of need and the past delivery and closure of homes that can meet that need. However, disagree with the assertion that the Garden Suburbs and Strategic Sites identified in the LDP will make a meaningful contribution towards the supply of specialist housing. Large strategic sites require significant upfront infrastructure costs, and alongside the land purchase, often affordable housing and/or specialist housing becomes unviable or delivered late in the phasing programme. Many older people wish to remain in an area with which they are familiar, close to friends and family. Given these demands, a more suitable delivery vehicle would be to promote development in sustainable locations (well served by public transport and facilities), where it can be demonstrated a localised need is being addressed for that particular demographic. This should be supported by a needs assessment to	<p>The Council agrees that people make choices on the type of housing they need, and amendments to the SPD – see below – recognise this.</p> <p>Although specialist homes are to be provided in the Garden Suburbs and strategic sites e.g. 60 affordable units at S2a Limebrook Way, it is acknowledged that other delivery vehicles including, through small and medium sized schemes, may prove more successful to secure specialist housing, particularly in the short term.</p> <p>The SPD helps to facilitate that process providing site selection criteria and identifying the requirements for an assessment of need – paragraph 5.12-5.15 requires a market assessment to be submitted with any specialist housing application – this should</p>	Add new paragraph 3.2 to better reflect the way specialist housing is expected to be promoted in the District in the short term: <i>The expectation is that the majority of this significant older persons housing shortfall will be delivered where the greatest demand is, in Maldon, Heybridge and Burnham-on-Crouch where residents benefit from good access to public transport, shops and other key services<sup>2</sup>. Access to local amenities and the surrounding community helps older people, particularly those in 'active' retirement remain connected to the area where they have been or are living. It is therefore appropriate for the</i>

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			<p>demonstrate that the correct quantum is being proposed. It is not recommended that site specific allocations are made, as this could lead to inflated land values and changes in aspirations. Instead, a policy similar to the wording above that allows for a scheme to be judged on its perceived impact on the local environment against the benefits the scheme is delivering would be more appropriate. Small to medium sized independent living and retirement housing schemes that meet the site selection criteria and elements discussed above, could make a significant contribution towards the specialist housing supply within the short term, due to limited on and off site infrastructure constraints.</p>	<p>provide the evidence for any mix and type of product identified.</p> <p>The SPD cannot introduce new policy - that will be the purpose of the Local Plan Review.</p> <p>This SPD which provides guidance on how policy H3 could be delivered should be read in conjunction with all policies in the LDP. It is against those policies, and where, appropriate national policy that any proposals will be considered.</p>	<p><i>Garden Suburbs and strategic sites in the LDP as well as other major new housing developments to provide for, or incorporate provision specifically for older people. The availability of funding for specific products such as independent living may also lead to bespoke schemes being delivered on suitable sites by Providers in these locations.</i></p>
SN008	Strutt and Parker on behalf of M Scott Properties Ltd	Paragraph 3.4	<p>Disagree with the limited importance being placed upon providing specialist housing for ownership; both rental and market sale should be considered on their own merits. The SPD should encourage the delivery of all forms of specialist accommodation within the District as a priority, throughout the Plan period.</p>	<p>It is important to achieve a balanced approach to delivering specialist housing in the District. This includes the provision of market housing (for rent and to buy). The SPD will be amended to address the balance between market and affordable housing.</p>	<p>Amend paragraphs 3.3, 3.4, 3.5, 3.6, 3.8, 3.12 to include greater appropriate reference to the provision of specialist needs market housing.</p> <p>Amend paragraph 3.5 to better reflect the importance of market housing for specialist needs in the District in the short term: <i>A priority, therefore, is securing a higher proportion of new homes for older people to rent. Delivery of rented accommodation can take a variety of forms: private</i></p>
SN008	Strutt and Parker on behalf of M Scott Properties Ltd	Paragraph 3.5	<p>Disagree that the most efficient method of delivering older peoples housing is through the affordable housing sector. If a clear delivery mechanism is in place that specifies the criteria that a scheme has to meet in order for it to be acceptable in planning terms, and is commercially viable, it will encourage a range of developers (outside of</p>		

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			<p>the affordable housing sector), including smaller builders, to build accommodation for this particular market. This SPD should clarify that all forms of specialist housing, both affordable and market homes, are encouraged.</p>		<p><i>rented age restricted/age exclusive 'retirement' accommodation, independent living or extra care homes as well as affordable housing. Ownership remains important, being a tenure that may help improve the viability of new development, which may help secure affordable housing for the District's older people. The SHMA<sup>2</sup> indicates about 100 existing older residents annually would require rented housing, with a similar demand from those who are considering moving into the District over the next few years.</i></p>
SN009	CODE Development Planners Limited	Paragraph 3.5	<p>While delivery of affordable housing may provide the council with opportunities for providing 'retirement' accommodation it is important that the SPD do not place artificial restrictions or discouragement to the private sector making a valuable contribution to realising opportunities and assisting in meeting identified needs. Successful delivery will see a partnership of scheme provision between the private sector and public agencies.</p>		<p><i>rented age restricted/age exclusive 'retirement' accommodation, independent living or extra care homes as well as affordable housing. Ownership remains important, being a tenure that may help improve the viability of new development, which may help secure affordable housing for the District's older people. The SHMA<sup>2</sup> indicates about 100 existing older residents annually would require rented housing, with a similar demand from those who are considering moving into the District over the next few years.</i></p>
SN008	Strutt and Parker on behalf of M Scott Properties Ltd	Paragraph 3.7	<p>As part of delivering homes for more vulnerable people, encourage MDC to actively engage during the pre-application process to ensure schemes are delivered that meet a range of needs, and have the ability to adapt as those needs increase over time.</p>	<p>The Council will continue to be actively involved in the pre-application process for all types of development, including specialist housing to ensure schemes are delivered that address identified local needs.</p>	<p>No change to SPD required.</p>

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SN009	CODE Development Planners Limited	Paragraph 3.10	Provision of specific bespoke accommodation in the right location can assist considerably in providing choice for existing district residents wishing to downsize. Appropriate contributions of private sector schemes should not be underestimated in the aim of making best use of existing housing stock.	It is important to achieve a balanced approach to delivering specialist housing in the District. This includes the provision of market housing (for rent and to buy). The SPD will be amended to address the balance between market and affordable housing.	Amend paragraphs 3.3, 3.4, 3.5, 3.6, 3.8, 3.12 to include greater appropriate reference to the provision of specialist needs market housing.
SN008	Strutt and Parker on behalf of M Scott Properties Ltd	Paragraph 4.2	<i>Recommend that the following change is made to paragraph 4.2 (as underlined): "The precise amount and type of specialist accommodation required will depend on a range of factors including the choices of individual people and households. Identifying sites for such provision can be challenging, and it is therefore appropriate -where there is evidence of an identified unmet need in the local area and the location is appropriate in terms of access to facilities, services and public transport - for the Council to work with developers of more than 10 dwellings to ensure an appropriate mix is delivered that includes an element of / or in its entirety, housing designed for older people, people with, or supporting someone with a disability, or housing that can be adapted in the longer term."</i>	It is acknowledged that schemes may come forward that are wholly designed for older people or those with disabilities. Amend 4.2 to capture those schemes that are promoted solely for specialist needs housing.	Amend 4.2 to read ' <i>that provides for, or includes an element of housing designed for older people or those with a disability ...'</i>
SN008	Strutt and Parker on behalf of M Scott Properties Ltd	Paragraph 4.13	This paragraph is supported.	Support noted and welcome.	No change to SPD required.

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SN009	CODE Development Planners Limited	Paragraph 4.13	Support that ' <i>it is not always appropriate for design, financial viability or management reasons for affordable specialist units to be located on site. In these cases, a financial contribution may be acceptable</i> '. The relevance of on-site provision versus financial contribution should be judged at the time of considering individual applications for planning permission.	Support noted and welcome.	No change to SPD required.
SN008	Strutt and Parker on behalf of M Scott Properties Ltd	Section 5 – Site selection	The site selection process is supported.	Support noted and welcome.	No change to SPD required.
SN009	CODE Development Planners Limited	Paragraph 5.1	Support the principles set out within this section. Elderly people with specialist needs require good access to shops, public transport links and other local facilities and services. Specialist housing should therefore be located close to town centre areas, having a wide range of appropriate facilities within walking distance and accessed by safe, flat and legible pedestrian friendly footpaths suitable for the less mobile.	Support welcome and noted.	No change to SPD required.
SN009	CODE Development Planners Limited	Paragraph 5.2	Support this statement and echo the sentiments stated for para. 5.1 above.	Support welcome and noted.	No change to SPD required.

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SN009	CODE Development Planners Limited	Paragraph 5.3	<p>Agree with the site selection requirements set out within this section but:</p> <p><b>public transport proximity</b> The SPD states that new developments should be located within 1km of bus stops with a frequent daily service to main centres. 1km is too far to encourage elderly, perhaps less mobile residents, to use the bus stops. The Institution of Highways and Transportation 'Planning for Public Transport in Developments' (1999) states within 'the layout of developments' (p.12) that 'it is desirable for bus services to be located no further than a 400m walk for residents, preferably less than 300m'. Elderly residents living in specialist needs housing developments are often less mobile and active than the average person, commonly having a restricted physical ability. The lower end criteria where bus stops on active roads are located <b>within 400m of a development</b> should be reflected in the SPD. Proximity to bus stops is not a sufficient replacement for proximity to local facilities themselves, if a development is to rely on access to public transport then the 400m threshold would be even more important.</p>	<p>1. The 1km distance is taken from the DoT LTN 1/04 - Policy, Planning and Design for Walking and Cycling, 2004, which is considered to be more up to date than the Planning for Public Transport in Developments (1999). Although its Paragraph 5.18 recommends that '<i>residents should not have to walk more than 400m to their nearest bus stop</i>' It adds that '<i>These standards should be treated as guidance, to be achieved where possible by services that operate at regular frequencies and along direct routes. It is more important to provide services that are easy for passengers to understand and are attractive to use than to achieve slavish adherence to some arbitrary criteria for walking distance.</i>' Additional text will be state that the 1km may be reduced where severe gradients exist or where the type of housing provided is for those residents who are less mobile. The development of a retirement village for example could house active over 55's therefore it is not appropriate to suggest that all older people are inactive and have mobility issues.</p>	<p>Amend paragraph 5.3 bullet point 1 to: Well served by public transport: bus stops - with a frequent daily service to main centres where a wide range of shops and services are available – should be within 1km of the development. <i>This may be reduced to reflect site specific constraints such as the topography of the area, or where it can be demonstrated that the future occupiers are expected to be less mobile. Evidence will be needed in support.</i></p>

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SN009	CODE Development Planners Limited	Paragraph 5.3	<p><b>Facility accessibility</b> The SPD requires developments to have suitable access to local amenities and facilities for elderly residents, with pedestrian footpaths being relatively flat with drop kerbs and pedestrian crossings (or have the ability to do so). This encourages greater access by ambulant older people, wheelchair users and mobility scooters. Fully support this and acknowledge that this focusses development in town centre (or town centre fringe) areas such as exist at Burnham-on-Crouch and Maldon. The selection of appropriate sites will also require a detailed consideration of accessibility.</p>	Support noted.	No change to SPD required.
SN009	CODE Development Planners Limited	Paragraph 5.3	<p>Agree with the site selection requirements set out within this section but:</p> <p><b>Specialist needs housing facility proximity</b> requires new developments to be located within 1km of local shops, bank/cashpoints, GP Surgery/Health Centres, post offices, community facilities and open spaces in reference to the Department for Transport's publication 'LTN 1/04 Policy, Planning and Design for Walking and Cycling' (2004). This document states in section 3.10 'Land use planning' (p.15) that 'there are limits to the distances generally considered acceptable for utility walking and cycling', noting that the mean average distance is approximately 1km (0.6 miles). This is caveated, stating that 'the distances people are prepared to walk</p>	The SPD states that development should be within 1km of shops and services. Specialist needs housing does not only apply to residents with mobility issues, it can apply to active older people who may be able to walk 1km comfortably. However, there may be certain types of specialist needs housing which should be located closer to shops and services to meet the needs of future residents, such as dementia care housing. Additional text will be added to state that acceptable walking distances will vary between individuals and circumstances.	<p>Amend paragraph 5.3, bullet point 3 to: Close to local facilities: <i>housing should ideally be within an 800m walk of local shops, bank/cashpoint, GP Surgery/Health Centre, post office, community facilities and open space, unless it can be demonstrated that the majority of future occupiers are expected to be 'active' and regularly able to walk up to 1km.</i></p>

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			<p>or cycle depend on their fitness and physical ability, journey purpose, settlement size and walking/cycling conditions'. Further guidance in the LTN 1/04 refers to the Institution of Highways and Transportation's 'Providing for journeys on foot' (1999). This expands stating within the 'Acceptable walking distances' (p.48) that 'an average walking speed of approximately 1.4m/s can be assumed, which equates to approximately 400m in five minutes or three miles per hour. <b>The situation for people with mobility difficulties must be kept in mind in applying any specific figures</b>'. This acknowledges that acceptable walking distances will vary based on potential differences in an individual's circumstances, noting fitness and physical ability, encumbrances (e.g. carrying shopping bags), the availability, cost and convenience of alternative modes of transport, time savings, journey purpose, personal motivation and general deterrents to walking. The Maldon District Design Guide 'Designing for Older Persons' Housing section 5.5.1 refers to the 'RTPI Practice Advice (January 17): Dementia and Town Planning – Creating better environments for people living with dementia'. The Design Guide states that 'the document [RTPI Practice Advice] provides useful design guidance on the provision of adaptable housing for the elderly in sustainable locations'. One of the key design</p>		

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			<p>principles to be considered in the design of new developments recommends that '<b>land uses are mixed with shops and services within a 5-10 minute walk from housing</b>'. Feel that specialist housing developments should be located with a maximum of 800m radius for local facility proximity, accounting for between 5-10 minutes walking distance at a maximum of three miles per hour walking speed (400-800m distance) and that the SPD reflects this justification. A proximity radius of 800m (circa. 0.5 miles) is also supported within the Housing LIN 'Retirement Living Explained' guide for design and planning professionals (2017), which states in Section 4 'Site matters – securing sustainable locations' (p.30) that sites should be 'within 0.5 miles of town or local centres and amenities'.</p>		
SN010	Essex County Council	Paragraphs 5.1-5.3	<p>ECC welcomes reference in paragraphs 5.1 - 5.3 to the requirement that consideration be given to the location of specialist needs accommodation (elderly, disabled, young or vulnerable adults). In particular sites will be expected to be well served by public transport; close to local facilities via accessible means and infrastructure; free from environmental constraints; and within well-lit and safe neighbourhoods.</p> <p>Recommends consideration is given to appropriate parking standards, an appropriate level of private amenity space for residents, the setting of existing</p>	<p>Parking is covered separately in paragraphs 5.39-5.42 and amenity space is covered by paragraphs 5.35-5.38. The other issues are site specific and would be addressed through reference to other LDP policies where appropriate through the planning application process.</p>	No change to SPD required.

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			<p>buildings, the natural and historic environment and the character of the area, any overbearing effects or disturbance to neighbouring properties, and any overlooking or overshadowing of neighbouring properties. This would also be applicable for permission given for conversions of buildings of previous use to residential care homes for older and vulnerable people. The EDG makes reference to planning and designing new developments with regard to the needs of the ageing population.</p>		
SN009	CODE Development Planners Limited	Paragraph 5.6	<p>Support the statement that independent living will only be considered in Maldon, Heybridge and Burnham-on-Crouch. In our view, it is only in these locations that schemes can be supported by the key services and access profiles required by elderly residents.</p>	Support welcome and noted.	No change to SPD required.
SN010	Essex County Council	Paragraph 5.6	<p>Paragraph 5.6 identifies that Independent living will be prioritised in Maldon, Heybridge and Burnham-on-Crouch as these are the only locations that have the support of the Clinical Commissioning Group. It would be useful to clarify the reasons for their support for these locations, and emphasise they are the most appropriate locations to meet the criteria identified in adopted Policy H3 - Accommodation for 'Specialist' Needs.</p>	<p>The CCGs consider that Maldon, Heybridge and Burnham-on-Crouch should be prioritised for independent living as they are the most sustainable locations for this type of housing. Amend SPD accordingly.</p>	<p>Amend first sentence of paragraph 5.6 to read '<i>... support of the CCG because these are the most sustainable locations where residents are better able to access a range of everyday services and meet their social and housing needs (criteria 2, 4 and 5 of Policy H3).</i></p>
SN008	Strutt and Parker on behalf	Paragraph 5.7	<p>It has been acknowledged within the SPD that there are issues associated with the</p>	<p>Maldon has an approved LDP. Therefore new development should be policy</p>	No change to SPD required.

Reference	Name / Organisation	Draft SPD Section	Summary of comments	Officer Response	Change to SPD
	of M Scott Properties Ltd		<p>delivery of specialist accommodation for older people and those either with, or supporting someone with a disability. By limiting the scope to deliver schemes outside of the settlement boundary to affordable housing schemes, the level of delivery will be limited significantly. It is supported that schemes should deliver a policy compliant level of affordable housing, but due to the specialist nature of the product being delivered on site, the associated build cost and land acquisition cost, it is unrealistic and detrimental to the level of delivery to seek greater levels of affordable housing. The following wording is recommended (changes underlined): <i>The Council will also expect developers to submit a site selection assessment for all specialist needs housing schemes. Each assessment must consider a number of potential sites in a locality to ensure that the most sustainable is selected for that type of housing. This is important particularly if the proposed site is detached from a settlement boundary – such sites will need to be supported by a localised needs assessment and provide a level of affordable housing consistent with Policy H1, unless a viability assessment can demonstrate that the provision of affordable housing on-site would cause the scheme to be unviable, in which case an off-site contribution will be considered.</i> Previously developed land and conversion of buildings should be considered:</p>	<p>compliant (within the settlement boundary unless there are material considerations that prevail). Paragraph 5.7 refers to LDP Policy H5 Rural Exception Sites is the relevant starting point, but a wide range of policies must be consider in assessing new development.</p> <p>This includes further information on a needs assessment.</p> <p>LDP Policy H5 limits schemes outside of the settlement boundary to affordable housing unless it can be demonstrated through a viability assessment that an element of market housing is essential to facilitate the affordable housing. The proposed changes seeking off site contributions would require a change to policy which a SPD cannot do. However, the information contained within the LDP and the draft SPDs is sufficient to enable a developer to factor the cost of providing affordable housing in when purchasing land for development. It is agreed that the affordable/market housing split should be agreed at an early stage in the planning process.</p>	

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			<p><i>the Council's Brownfield Land Register is a good starting point (see <a href="http://www.maldon.gov.uk">www.maldon.gov.uk</a> for more details).</i>" It is important that the level of affordable housing is clarified at an early stage, so that the developer is able to acquire land at a value that is viable and encourages the landowner to sell. It is agreed that a proportion of residents in the District will require affordable housing, but there is a large population that will wish to own their own home, but would downsize to a more suitable property that responds to their needs and aspirations as they age if an attractive option was available. In order to deliver a property and environment that encourages 'right-sizing' a high level of design and appearance will be required; this comes with an additional cost. By making a scheme financially attractive, the quality of scheme will be improved and in turn reduce the demand for future /next-step (higher level of care provision) specialist accommodation.</p>		
SN011	Pioneer PS Ltd	Paragraph 5.10	<p>This appears to seek a new test which does not exist in policy, namely to seek a viability assessment to prove that a scheme is viable and therefore deliverable. This is not a feature of the policy framework of the adopted plan and cannot therefore be created via an SPD.</p>	<p>Legal advice has been taken: Policy H3 requires applicants to demonstrate 'that revenue funding can be secured to maintain the long term viability of the scheme.' This could be in the form of a viability assessment or an alternative form of evidence to be submitted as part of a planning application. The approach taken is considered to be appropriate in a SPD.</p>	<p>Add to 5.10 '<i>This could, for example, be in a viability assessment or through paragraph 5.24.</i>'</p>

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SN011	Pioneer PS Ltd	Paragraph 5.13	Implies that a business case is necessary to deal with the provisions of policy H3 of the adopted plan. Policy H3 does not require this and makes no mention of a 'business case'. Part 7 of the policy is not worded in this way (it is by contrast seeking confidence that revenue funding can be secured). This new test being applied via the SPD is significantly beyond the scope of policy and is therefore creating new policy rather than providing guidance against the adopted position.	Legal advice has been taken: This seems to be an explanation of point 7 in LDP policy H3. A business case would show that there is revenue funding as required by H3. The approach taken is considered to be appropriate in a SPD.	Amend paragraph 5.13, bullet point 4 to: The basic operating costs of the scheme and resulting service charges ( <i>to fulfil policy H3 (7)</i> ) ...
SN010	Essex County Council	Paragraph 5.22	Paragraph 5.22 refers to the role of statutory agencies in providing 'specialist' housing needs, including ECC through its statutory responsibilities regarding Public Health and Social Care, including its commissioning of services role. Specific reference to the promotion of independent living to help reduce costs on health and social care services is supported.	Support noted and welcome.	No change to SPD required.
SN011	Pioneer PS Ltd	Paragraph 5.26	Homes England no longer apply the Design and Quality Standard having reverted to Building Regs. The Council may seek the additional floor space of the Nationally Described Space Standards but this must (to accord with national guidance) be a matter tested via examination as a local plan policy amendment.	Paragraph 5.26 states that the national space standards are a starting point for discussion. This is not new policy: the SPD is simply referring to national policy and re-stating national policy on house size . The Design and Quality Standard is not referred to in the Specialist Needs Housing SPD.	No change to SPD required.

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SN007		Paragraph 5.28	<p>It should be mandatory for all spec housing developments in the District to be built in line with the 'Lifetime Homes' standards. This is the most effective way of keeping aging residents in their own homes without the stress of having to relocate late in life with all of the stress and considerable expense (removal, stamp duties, new furniture and fittings) that this involves. The cost to builders is low, the value to individuals and society is high.</p>	<p>LDP policy D1 encourages inclusive design and the effective use of internal and external space but does not specify any particular design standards. Therefore, it is not possible to require new development to be designed to Lifetime Homes standards. But the Maldon District Design Guide SPD requires developers to take the principles into account when designing new homes. This approach is reinforced by the draft SPD.</p>	No change to SPD required.
SN008	Strutt and Parker on behalf of M Scott Properties Ltd	Paragraph 5.51	<p>The recommendations regarding purchasing options/advice is supported, but recommend another purchasing option. A resident could rent their chosen property within the scheme whilst they are attempting to sell their existing property. The amount of rent accumulated would be deducted from the purchase price prior to completion and would give the resident certainty and a less stressful moving process, in turn encouraging the freeing up of existing (typically underoccupied) housing stock in the locality.</p>	<p>Although the SPD states that the list of purchasing options is not exhaustive, the additional clause is a positive addition and provides residents with another tool to aid their move.</p>	<p><i>Add new bullet point 5: <i>rent deduction scheme: The resident could rent their chosen property within the scheme whilst they are attempting to sell their existing property. The amount of rent accumulated would be deducted from the purchase price prior to completion.</i></i></p>
SN011	Pioneer PS Ltd	Paragraph 7.3	<p>This appears to seek a new test which does not exist in policy, namely to seek a viability assessment to prove that a scheme is viable and therefore deliverable. This is not a feature of the policy framework of the adopted plan and cannot therefore be created via an SPD.</p>	<p>Legal advice has been taken: Policy H3 requires applicants to demonstrate 'that revenue funding can be secured to maintain the long term viability of the scheme.' This could be in the form of a viability assessment or an alternative form of evidence to be submitted as part of a planning application. The</p>	<p>Amend paragraph 7.3 bullet point 8 to: Market assessment for the scheme, including long-term viability of the scheme (<i>in the form of revenue funding as required by Policy H3 (7).</i></p>

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				approach taken is considered to be appropriate in a SPD.	
SN003	Tendring District Council	Paragraph 8.0	Should the undersupply detailed within the document persist perhaps stronger measures will need to be explored.	Noted. If the undersupply continues it is likely that this would be an issue for a LDP Review.	No change to SPD required.
SN010	Essex County Council	Appendix 3 – Housing Specific Features	ECC welcomes reference to ECC's Independent Living Programme in Appendix 3. This encourages the provision of specialist accommodation in Essex as a means by which older people can continue to live healthy and active lives within existing communities, and reduce the demand for residential/nursing home care, which is expensive and restricts independence. At present there are not sufficient numbers of Independent Living units to relieve pressure for residential care placements. ECC assessed a need for 2,825 Independent Living units (available as rental or ownership units) to be delivered by 2020 in the County. In September 2016 ECC assessed a need with Maldon for 134 units to be provided by 2020. The ECC Independent Living programme has been developed by ECC to increase the supply of Independent Living units across Essex. The latest Position Statement is from October 2016, not 2015 as referenced in Appendix 3 of the proposed SPD. A link to the latest document is provided below: <a href="#">ECC Independent Living Programme for Older People - Position Statement - October 2016</a>	Support noted and welcome.	Amend Position Statement date to: <i>from October 2016</i> .